

## **June 29, 2009 - Special Town Council Meeting**

**At a Special Meeting of the Town Council of the Town of Middletown, RI, held at the Middletown Town Hall on Monday, June 29, 2009 at 6:00 P.M.**

**Council President Christopher T. Semonelli, Presiding**

**Vice Chairman Richard Cambra**

**Councillor Frank A. Bozyan**

**Councillor M. Theresa Santos**

**Councillor Edward J. Silveira, Jr.**

**Councillor Robert J. Sylvia**

**Councillor Barbara A. VonVillas, Members Present**

**POSTED – June 26, 2009**

**Wendy J.W. Marshall, Town Clerk**

**Town of Middletown**

**Town Hall – 350 East Main Road**

**Middletown, Rhode Island 02842**

**Dear Mrs. Marshall:**

**Pursuant to the provisions of Article II, Section 203 of the Town Charter and in accordance with Sections 42-46-2., 42-46-4. and 42-46-6., RIGL, I hereby call a Special Meeting of the Town Council to formally consider, discuss and act upon the following item of business:**

**1. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the General Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**2. Resolution of the Council, re: Tax Levy Resolution.**

**3. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**4. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

## **5. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Refuse and Recycling Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**6. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) collective bargaining (Fire, Public Works and Town Hall) , (5) land acquisition and (5) lease (East Main Road – Plat 118, Lot 31).**

**Said meeting will be held on Monday, June 29, 2009, at 6:00 P.M. at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island 02842.**

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**Christopher T. Semonelli,**

**President**

**Middletown Town Council**

**cc:**

**Town Council**

**School Department**

**Town Administrator**

**Senior Center**

**Town Solicitor**

**Police Dept.**

**Finance Director**

**Fire Dept.**

**Public Library**

**Public Works**

**Tax Assessor**

**Building Inspector**

**Town Planner**

**IT Director**

**Parks/Recreation**

**Town Engineer**

**Human Resource Director**

**School Department**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before the meeting.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to receive said communication.**

**Also present were Town Administrator Shawn Brown, Finance Director Lynne Dible, Deputy Finance Director Marc Tanguay and Senior Accountant Deb Barrett.**

**Present, representing the School Department, were Superintendent Rosemarie Kraeger, Assistant Superintendent Linda Savastano, Business Manager Catherine McLeish, School Committee Member Liana Ferreira Fenton.**

## **1. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the General Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Town of Middletown Final FY2010 General Fund Budget**

**Adjustments dated, June 29, 2009; Councillor Santos voted NO to said motion; said adjustments entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to appropriate to the School Department tax revenues in the amount of \$22,001,421 for education – an increase of \$431,400 over FY 2009, and appropriate, \$408,051 to the Other Post Employment Benefit (OPEB) Fund for the School, an increase of \$8,001 over FY2009, for the purpose of funding the School District's annual required contribution to the OPEB trust fund; Councillor Santos voted NO to said motion.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the FY 2010 through FY 2014 Capital Improvement Plan as summarized in the Projects and Funding Sources by Department report dated June 29, 2009, and that, in accordance with Town Ordinance Chapter 35 Capital Improvements, the following restricted appropriations shall be made from the Capital Improvement Special Revenue Fund for the projects specified in the approved Capital Improvement Plan, dated June 29, 2009:**

- 1. General Fund (various departments) - \$1,603,000**
- 2. School Department - \$300,000**
- 3. Refuse & Recycling Fund - \$221,665**

**Councillor Santos vote NO to said motion; said approved CIP Budget, projects and funding sources entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Fiscal Year 2010 General Fund Budget, as amended, dated June 29, 2009; Councillor Santos voted NO to said motion; said budget entered here:**

**Councillor Sylvia questioned Councillor Santos opposition to the budget.**

**Councillor Santos, responding to Councillor Sylvia, explained that the**

**increase within the budget will be difficult for low income families and seniors to afford. Councillor Santos also noted the increase of the Refuse & Recycling annual participation fee.**

**Councillor Sylvia noted that he is in opposition of using monies from the Special Revenue fund to subsidize the PAYT program.**

**Councillor Silveira noted that the PAYT program must continued to evolve and is less expensive for residents than a private hauler.**

## **2. Resolution of the Council, re: Tax Levy Resolution.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to pass said resolution; Councillor Santos voted NO to said motion.**

### **3. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Parks and Recreation Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Town of Middletown Final FY2010 Parks & Recreation Fund Budget Adjustments dated, June 29, 2009; Councillor Santos voted NO to said motion; said adjustments entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Fiscal Year 2010 Parks & Recreation Fund Budget, as amended, dated June 29, 2009; Councillor Santos voted NO to said motion; said budget entered here:**

### **4. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenues of the Sewer Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to:**

- 1) Maintain a Sewer Rate of \$11.20 per 1,000 gallons for all connected sewer users.**
- 2) Establish a Newport Meter Reading Charge of \$31.75 for all connected sewer users.**

**Councillor Santos voted NO to said motion; FY 2009-2010 sewer charges entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Town of Middletown Final FY2010 Sewer Fund Budget**

**Adjustments dated, June 29, 2009; Councilor Santos voted NO to said motion; said adjustments entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Fiscal Year 2010 Sewer Fund Budget, as amended, dated June 29, 2009; Councillor Santos voted NO to said motion; said budget entered here:**

**Vice Chairman Cambra questioned Councillor Santos opposition to the Sewer Fund Budget.**

**Councillor Santos, responding to Vice Chairman Cambra, explained her concern that a review of well users has not been completed.**

## **5. An Ordinance of the Town of Middletown**

**An Ordinance in amendment to the ordinances of the Town of Middletown entitled “Appropriating Revenue of the Refuse and**

**Recycling Fund for the Fiscal Year July 1, 2009 to June 30, 2010, as amended”.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to**

- 1) Maintain the PAYT bag rate of \$1.75 for the 15-gallon trash bag.**
- 2) Maintain the PAYT bag rate of \$2.00 for the 33-gallon trash bag.**
- 3) Increase the annual Participation Fee to \$75 for all Middletown PAYT program participants.**

**Councillor Santos and Councillor Sylvia voted NO to said motion.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Town of Middletown Final FY2010 Refuse & Recycling Fund Budget Adjustments, dated June 29, 2009; Councillor Santos and Councillor Sylvia voted NO to said motion; said adjustments**

**entered here:**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to approve the Fiscal Year 2010 Refuse and Recycling Fund Budget, as amended, dated June 29, 2009; Councillor Santos voted NO to said motion; said budget entered here:**

**6. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2., 42-46-4. and 42-46-5. (a) (2) collective bargaining (Fire, Public Works and Town Hall), (5) land acquisition and (5) lease (East Main Road – Plat 118, Lot 31).**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to recess this meeting at 6:16 P.M. and reconvene in executive session.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to reconvene this meeting in open session at 6:59 P.M.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted to reject the proposal and remove billboards; Councillor Santos and Councillor Sylvia voted NO to said motion.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to seal the minutes of the executive session pursuant to Section 42-46-7. RIGL.**

**On motion of Vice Chairman Cambra, duly seconded, it was voted unanimously to adjourn this meeting at 7:00 P.M.**

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**Wendy J.W. Marshall, CMC**

**Council Clerk**

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